

05-28-03

AF/18

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.

65,213-001

#10  
16  
6-11-23In Re Application Of: **WHITTLE, BRIAN ANTHONY**

Serial No.

09/787,806

Filing Date

5/08/2001

Examiner

SIMON J. OH

Group Art Unit

1615

Invention: **NUTRITIONAL AND PHARMACEUTICAL COMPOSITIONS****RECEIVED**

JUN 02 2003

TO THE COMMISSIONER FOR PATENTS:**TECH CENTER 1600/2900**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **FEBRUARY 26, 2003** finally rejecting Claim(s)

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☒ has already been filed in this application.

The fee for this Notice of Appeal is: **\$160.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **04-2223**

Dated: **MAY 27, 2003**

Signature

**ROBERT L. KELLY** REG. NO. 31,843  
**DYKEMA GOSSETT PLLC**  
**39577 WOODWARD AVENUE, SUITE 300**  
**BLOOMFIELD HILLS, MI 48304**  
**248-203-0849**

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cc:

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence